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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/802,169	03/08/2001	Christopher Keith	0505-4012

CONFIRMATION NO. 1150

24259  
BRENDA POMERANCE  
260 WEST 52 STREET  
APT 27B  
NEW YORK, NY 10019

## FORMALITIES LETTER



\*OC00000006050053\*

Date Mailed: 05/07/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

## Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 04/27/2001 to the Notice to File Missing Parts (Notice) mailed 04/17/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 was not received.
- The balance due by applicant is \$ 65.

Refund Ref:  
07/27/2001 0030005448

Credit Card Refund Total: \$65.00

*A copy of this notice **MUST** be returned with the reply.*

VISA....: XXXXXXXXXXXX0401

MD

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

COVER/101 SZEWDIE1 00000004 09802169

02 FC:205 65.00 OP

Adjustment date: 07/27/2001 LGIBBS  
05/23/2001 SZEWDIE1 00000004 09802169  
01 FC:205 -65.00 OP



PATENT  
0505-4012

# 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher KEITH

Filed: March 8, 2001

Art Unit: 2165

Examiner:

Serial No.: 09/802,169

Confirmation No.: 1150

Title: AUTOMATED ORDER BOOK WITH CROWD PRICE IMPROVEMENT

**RESPONSE TO NOTICE OF INCOMPLETE REPLY  
AND  
PETITION TO WITHDRAW REQUIREMENT FOR LATE FILING FEE**

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

Dear Sir:

Enclosed are a copy of a Notice of Incomplete Reply in the above-referenced application, indicating that a late filing fee surcharge of \$65 is due, and a Credit Card Charge Authorization in the amount of \$65. The surcharge was assessed for late filing of the Declaration.

Applicant hereby petitions for withdrawal of the late filing fee surcharge and for refund of the \$65 late filing fee.

The undersigned attorney swears that the Declaration was timely filed with the application. A copy of the stamped postcard accompanying the application is attached hereto as Exhibit 1, and indicates that the Patent Office received the Declaration. Apparently, the Declaration was lost in the Patent Office. Since the Declaration was timely filed, applicant should not be burdened with a surcharge for filing a copy of the Declaration that was lost by the Patent Office. Accordingly, applicant petitions for withdrawal of the late filing fee surcharge and for refund of the \$65 late filing fee.



PATENT  
0505-4012

Please call the undersigned attorney if there are any questions.

Respectfully submitted,

Date: May 15, 2001

Brenda Pomerance

Brenda Pomerance  
Reg. No. 36,894

Address:  
Law Office of Brenda Pomerance  
260 West 52 St. Ste. 27B  
New York, NY 10019  
voice/fax 212 245-3940

### EXHIBIT 1.

Copy of stamped postcard filed with application,  
indicating that the Patent Office timely received the Declaration

Serial No. \_\_\_\_\_ Docket No. 0505-4012

Date Mailed May 8/01 Date Due \_\_\_\_\_

The return of this postcard, properly stamped, acknowledges  
receipt in the Patent & Trademark Office of the following:

1. Application including 124 pg. specification, 1 pg. Abstract, 3 pg. claims i-3 i
2. 91 sheets formal drawings
3. Declaration, signed
4. Assignment, signed
5. Assignment Recordation Cover Sheet
6. Application Fee Transmittal
7. Credit card authorization form for \$ 534 (filing)
8. Credit card authorization form for \$40 (asst. rec.)
9. Request for Non-publication under 35 USC 122(b)
10. Certificate of Mailing by Express Mail



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PATENT  
0505-4012



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Christopher KEITH  
Filed : March 8, 2001  
Group Art Unit: 2165 Examiner :  
Serial No. : 09/802,169 Confirmation No.: 1150  
For : AUTOMATED ORDER BOOK WITH CROWD PRICE  
IMPROVEMENT

**CERTIFICATE OF MAILING**

I hereby certify that the following attached paper(s) and/or fee

1. Response to Notice of Incomplete Reply
2. Copy of stamped return reply postcard
3. Copy of Notice of Incomplete Reply
4. Credit Card Authorization Form for \$65.00
5. Return receipt postcard

are being deposited with the United States Postal Service with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated below in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, DC 20231.

Date: May 15, 2001

  
Brenda Pomerance

**CORRESPONDENCE ADDRESS:**

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260 West 52 St. Apt. 27B  
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212 245-3940